

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Denise Crompton, individually, and Alan Crompton,
Individually,

Plaintiffs

vs.

Costco Wholesale Corp., a Washington Corporation,
et al.,

Defendants

Case No.: 2-13-cv-00038-JAD-GWF

**Order Vacating September 30, 2014,
Jury Trial**

With a first trial setting of September 30, 2014, looming, plaintiff has filed three dispositive motions in the last month—two of which are not even fully briefed. One of these motions seeks to strike defendant Costco's answer as untimely and strike its affirmative defenses. Doc. 31.

What is clear from plaintiffs' recent motions is that the scope of issues to be tried is far too unsettled to put this case to a jury three weeks from today, and the issues may have shifted significantly just since the pretrial order was filed on May 29, 2014. Doc. 26. Indeed, the pendency of these dispositive motions makes it difficult—and certainly not judicially economical—for this court to even consider the pending motions in limine.

Accordingly, IT IS HEREBY ORDERED that **the September 30, 2014, jury trial is VACATED**. The parties shall file a new joint pretrial order that complies with Local Rules 16-3(c) and 16-4 within 30 days of the court's decision on the pending dispositive motions (Docs. 31, 44, 51). And because decisions on these dispositive motions may impact the pending motions in limine, **all motions in limine (Docs. 55-66) are DENIED without prejudice** to their reassertion (with new affidavits demonstrating a good faith meet-and-confer was undertaken and) after the resolution of the dispositive motions. The parties are cautioned that the filing of motions in limine before the resolution of the dispositive motions will result in the denial of the motions in limine without prejudice.

Dated: September 9, 2014.


Jennifer A. Dorsey
United States District Judge